

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

---

)  
DANIEL E. LAFRENIER, )  
                          )  
                          )  
Plaintiff,            )  
                          )     C.A. No. 04-40070-NG  
v.                    )  
                          )  
UNITED STATES OF AMERICA, )  
                          )  
                          )  
Defendant.            )  
                          )  
                          )

---

**DEFENDANT'S MOTION TO EXTEND TIME  
IN WHICH TO RESPOND TO COMPLAINT**

Defendant, United States of America,<sup>1</sup> respectfully moves this Court for an extension of time from today up to and including August 20, 2004, to answer or otherwise respond to Plaintiff's Complaint. The undersigned counsel for Defendant asserts that such an extension will allow the Assistant U.S. Attorney the additional time to obtain relevant facts and background information of this matter. In particular, Plaintiff's Complaint contains a multitude of references to pleadings, and other proceedings, in related criminal cases. The undersigned Assistant U.S. Attorney has located the now-closed criminal cases, which contain 22 boxes of material still in the U.S. Attorney's Office in Springfield, with additional material

---

<sup>1</sup> This motion is not intended to be a responsive pleading. By the filing of this motion, Defendant is not waiving any of the procedural, affirmative, or other waivable and non-waivable defenses available to it in the normal course of filing a responsive pleading. Defendant intends to raise those defenses when it answers or otherwise responds to the Complaint.

in archives.

WHEREFORE, Defendant respectfully requests that this Court allows its motion for an extension of time up to and including August 20, 2004, to answer or otherwise respond to the Petition.

Respectfully submitted,

MICHAEL J. SULLIVAN  
United States Attorney

/s/ Jennifer C. Boal

By: Jennifer C. Boal  
Assistant U.S. Attorney  
John Joseph Moakley U.S. Courthouse  
Suite 9200  
Boston, MA 02210  
(617) 748-3100

Dated: August 23, 2004

**CERTIFICATE OF SERVICE**

I certify that on August 23, 2004, I caused a copy of the foregoing Motion to be served by first class mail, postage prepaid to Plaintiff, Reg. No. 90333-038 at FMC Devens, P.O. Box 879, Ayer, MA 01432

/s/ Jennifer C. Boal

Jennifer C. Boal  
Assistant U.S. Attorney